



City Council Agenda

Council President
Ken Steitz

Councilmembers

Tom Boyajian
Garry Bredefeld
Chris Mathys, Acting Council President

Henry Perea
Sal Quintero
Daniel Ronquillo

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, MAY 25, 1999

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:00 A.M.

CLOSED SESSION

- A. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6
City Negotiator(s): Jeffrey M. Reid, Andrew T. Souza, Jorge Aguiniga
Employee Organization(s): IBEW
Action Taken:
- B. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)
1. **Case Name:** River Park Properties v. City of Fresno and City of Clovis
 - a. **Related Case:** Robert J. Rosati v. City of Fresno and City of Clovis
 2. **Case Name:** Vernon Neuman v. City of Fresno
 3. **Case Name:** Scout Island Investors v. City of Fresno
 4. **Case Name:** Sunnyside Property Owners Association, and Sunnyside Village Homeowners Association v. City of Fresno (David Ochoa, Real Party in Interest)
 5. **Case Name:** City of Fresno v. Fresno Pacific Towers, et al
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

8:00 A.M.

CLOSED SESSION CONTINUED

- C. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -**
Government Code Section 54956.9, Subdivision (b)

Significant Exposure to Litigation:

1. Ewell Estate v. City of Fresno
2. Runyon v. City of Fresno

Action Taken:

8:30 A.M.#1

REGULAR MEETING OF THE REDEVELOPMENT AGENCY

- A. **HEARING on FY 1999-2000 budget of the Redevelopment Agency**

Action Taken:

1. **RESOLUTION** - Adopting the AAR for the FY 1999-2000 budget of the Redevelopment Agency of the City of Fresno

Action Taken:

8:30 A.M.#2

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of May 18, 1999

Action Taken:

GENERAL CONSENT CALENDAR

- B. **RESOLUTION** - Approving a one-year extension of the Project Area Committee for the Roeding Business Park Redevelopment Project (*Council action*)

Action Taken:

- C. Consider approval of the following matters necessary to proceed with the planning process for the South Fresno Industrial Revitalization Redevelopment Project:

1. **RESOLUTION** - Adopting the report to Council, submitting the report, and proposed Redevelopment Plan to the City Council (*Agency action*)

Action Taken:

- D. Consider approval of the following matters necessary to proceed with the planning process for the Airport Area Revitalization Redevelopment Project:

1. **RESOLUTION** - Adopting the report to Council, submitting the report, and proposed Redevelopment Plan to the City Council (*Agency action*)

Action Taken:

- E. Consider approval of the following matters necessary to proceed with the planning process for the Southeast Fresno Revitalization Redevelopment Project

1. **RESOLUTION** - Adopting the report to Council, submitting the report, and proposed Redevelopment Plan to the City Council (*Agency action*)

Action Taken:

ADJOURN AGENCY

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

9:00 A.M. Council Roll Call

Invocation by Reverend Brad Grams of the West McKinley Assembly of God

Pledge of Allegiance to the Flag

Proclamation of “FOSTER GRANDPARENT PROGRAM DAY” - Councilmember Ronquillo

Proclamation to Twining Laboratories for Participating in the Water Conservation Program - Councilmember Ronquillo

Proclamation to McDonald’s Restaurants for Participating in the Water Conservation Program

Proclamation of “JOHN TOOMASIAN DAY” - Councilmember Boyajian

Proclamation of “MENTOR RECRUITMENT MONTH”

Commendation Awards to Malloch Elementary School Students For Receiving Straight A’s - Acting President Mathys

Commendation Award to Arpi Garcia for Winning the City of Fresno Supreme Baby Queen Contest - Acting President Mathys

Proclamation of “BROWNIE GIRL SCOUT TROOP #399 DAY” - Councilmember Quintero

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of May 18, 1999

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS
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****ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***

10:00 A.M. Continued Hearing on City Budget for FY 2000

- Department of Administrative Services budget
- Public Works Department budget
- Parks, Recreation and Community Services budget
- Development Department budget
- Transportation/Fresno Area Express budget
- Convention Center budget
- Information Services Department budget
- Department of Public Utilities budget
- City Clerk's Office budget
- City Attorney's Office budget
- City Manager's Office budget

Action Taken:

CONTINUE BUDGET HEARING TO 6/8/99 AT 2:00 P.M.

1:00 P.M. CONTINUED HEARING regarding Zacky Farm Development Agreement

- A. BILL - (*For introduction*)** - (A) Repealing Ordinance No. 96-58 approving an agreement between the City of Fresno and Zacky Farms, Inc. and others, and (B) Approving a different Development Agreement between the City of Fresno and Zacky Farms, Inc. and related company to provide development incentives for expanding its poultry business and industrial facilities in the City of Fresno

Action Taken:

1:15 P.M. WORKSHOP relating to the Enterprise Zone and its policies

Action Taken:

- 1.** Direct City Manager or designee to extend Enterprise Zone acreage to Hydratech, Inc. at 1133 S. West Avenue - Councilmember Ronquillo

Action Taken:

- 2.** Direct City Manager or designee to consider eligibility for expansion of Enterprise Zone acreage to each of the following: (Council President Steitz)

- a.** CMB Industries
- b.** Duncan Ceramics
- c.** The GAP
- d.** Fresno Heating and Plumbing
- e.** Bill Marvin Electric
- f.** Sinbad Sweets, and
- g.** Hydratech, Inc.

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1:45 P.M. Approve proposed Purchase Agreement between The GAP and the City of Fresno related to 58-acres located at Gap Drive, Airways Boulevard and Dakota Avenue - Council President Steitz

Action Taken:

- a. Direct City Manager to initiate outside independent appraisal of the 60-acres of land currently being offered to The Gap for \$1.00. Following completion of obtaining the appraised land value, the City Council will provide the City Manager with financial parameters to negotiate the sale of land to the GAP - Councilmember Bredefeld

Action Taken:

2:30 P.M. **RESOLUTION** - Regarding the solicitation of direct international flights to Fresno/Yosemite International Airport - Council President Steitz

Action Taken:

2:45 P.M. Approval of appraisal of properties to be considered for funding the City's obligation relating to the multi-purpose stadium transaction and resolution of official intent to reimburse certain expenditures from proceeds of indebtedness - Acting President Mathys

Action Taken:

- a. * **RESOLUTION** - To reimburse certain expenditures from proceeds of indebtedness
- b. * **RESOLUTION** - 95th amendment to AAR No. 98-159 appropriating \$30,000 for appraisal services related to the baseball stadium construction (*Requires 5 affirmative votes*)

Action Taken:

3:00 P.M.#1 **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

3:00 P.M.#2 **HEARING** on introduction of ordinance amending Zoning Ordinance updating surface mining and reclamation ordinance (Text Amendment No. TA. 99-03)

- a. * **BILL - (For introduction)** - Amending the Zoning Ordinance updating City of Fresno surface mining and reclamation ordinance (Text Amendment No. TA. 99-03)

Action Taken:

- b. Set June 8, 1999, at 10:30 A.M. for hearing on Negative Declaration and adoption of ordinance

Action Taken:

4:00 P.M. **HEARING** on a charter amendment for Council consideration which would qualify a March 2000 ballot measure allowing voluntary water metering for single family residences - Council President Steitz

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5:00 P.M. **CONTINUED HEARING** on Text Amendment No. TA-97-09 proposing changes to the Fresno Municipal Code, Article 2, Chapter 12, relating to advertised structures (billboards)

Action Taken:

I. Text Amendment No. TA-97-09 proposing changes to Fresno Municipal Code Article 2, Chapter 12, related to advertising structures *(for adoption)*

1. * **BILL NO. B-90 - (INTRO. 10/6/98)** - Alternative No. 1 as proposed by advertising industry

Action Taken:

2. * **BILL NO. B-91 - (INTRO. 10/6/98)** - Alternative No. 2 as proposed by staff

Action Taken:

1A. **GENERAL CONSENT CALENDAR**

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED LATER)

1. **RESOLUTION** - Approving Final Subdivision Map of Tract No. 4514/UGM and accepting dedicated public uses therein. A 94-lot single-family residential subdivision on 22.50 acres, located on the southwest corner of N. Chestnut and E. Alluvial Avenues

Action Taken:

a. * **RESOLUTION** - 93rd amendment to AAR No. 98-159 appropriating \$42,200 for the acquisition of easements from the Stella Brosi Family and the Andrew Casados Family necessary for the construction of N. Chestnut and E. Alluvial Avenues *(Requires 5 affirmative votes)*

Action Taken:

2. **RESOLUTION** - Approving Final Map of Tract No. 4431/UGM and accepting dedicated public uses therein. A 265-lot single-family residential subdivision including 74 planned development lots and one outlot for future park purposes located at the southeast corner of N. Maple and E. Behymer Avenues

Action Taken:

a. * **RESOLUTION** - 94th amendment to AAR No. 98-159 appropriating \$161,600 for the acquisition of right-of-way and easements for Tract No. 4431 on N. Sommerville Drive *(Requires 5 affirmative votes)*

Action Taken:

3. Award a requirement contract for sewer inspection by closed circuit television

Action Taken:

4. * **RESOLUTION** - Authorizing the Chief of Police to accept donations, enter into agreements, and sign contracts specific to the formation and ongoing operation of the Mounted Patrol Unit

Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5. * **RESOLUTION** - Providing for the issuance and sale of 1999-2000 Tax and Revenue Anticipation Notes

Action Taken:

6. **RESOLUTION** - Authorizing submittal of and support for grant applications to Pacific Bell Foundation under the Community Enrichment Program and authorizing the City Manager to execute all necessary documents

Action Taken:

7. **RESOLUTION** - Initiating proceedings for the annual levy of assessments for Landscaping and Lighting Maintenance District No. 1

Action Taken:

- a. **RESOLUTION** - Of intention to levy and collect the annual assessments for Landscaping and Lighting Maintenance District No. 1

Action Taken:

8. * **RESOLUTION** - 92nd amendment to AAR No. 98-159 appropriating \$7,500 obtained from first responder fees for Emergency Medical Services (EMS) rendered (*Requires 5 affirmative votes*)

Action Taken:

9. Approval of request for conflict of interest waiver for Brown and Peel Law Firm regarding Morales et. al vs. City of Fresno and Fresno Metropolitan Flood Control District and Mustaciola vs. City of Fresno

Action Taken:

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Adoption of the 1998 California Building Commission Standards Codes, as amended along with the "Model Codes" including the 1997 Uniform Building Code, the 1997 Uniform Mechanical Code, the 1997 Uniform Plumbing Code and the 1996 National Electrical Code

1. **RESOLUTION** - Affirming the express findings for modifications to the 1998 California Building Code; 1998 California Mechanical Code; 1998 California Plumbing Code, and 1998 California Electrical Code as referenced in the 1998 California Building Standards Codes contained in the City of Fresno Building Code

Action Taken:

2. * **BILL NO. B-37 (Intro. 5/18/99)** - Repealing Division 1, 2, 3, 4 and 5 and re-enacting Division 1, 2, 3 and 4 of Article 1, Chapter 13 of the Fresno Municipal Code

Action Taken:

3. **GENERAL ADMINISTRATION CONTINUED**

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

B. RESOLUTION - Affirming the express findings for modifications to the Uniform Fire Code

Action Taken:

- 1. * BILL NO. B-38 (Intro. 5/18/99) - Repealing and re-enacting Article 7 of Chapter 9 of the Fresno Municipal Code relating to Fire Prevention (Adopting the 1997 Uniform Fire Code as amended by the 1998 California Fire Code as further amended)**

Action Taken:

4. CITY ATTORNEY

5. CITY COUNCIL

- A. * Direct City Manager to have the intersection of Hazelwood and California Avenue closed to through traffic. Complete as soon as possible due to high traffic of big rig trucks traveling the residential street - Councilmember Quintero**

Action Taken:

- B. Establish policy wherein Code Enforcement officers are to automatically check with Business License Division to determine if businesses being investigated have current and accurate business licenses on file with the City - Councilmember Quintero**

Action Taken:

- C. Approve reappointment of Sylvia Mehas to the Commission on the Status of Women - Councilmember Boyajian (*for adoption*)**

Action Taken:

- D. Proposed appointment of Patrick C. Pittarelli to the Tower District Design Review Committee- Councilmember Boyajian (*for introduction*)**

Action Taken:

- E. Direct City Attorney to draft an ordinance using the City of San Diego as a benchmark that will require all new and used firearms sold in the City of Fresno to be equipped with a trigger lock or other locking device - Councilmember Bredefeld**

Action Taken:

- F. Direct City Manager to complete an estimate to re-landscape Fire Station No. 14 and return to Council within 15 days - Acting President Mathys**

Action Taken:

5. CITY COUNCIL ITEMS CONTINUED

- G.** Discuss allocation of \$280,000 for the addition/expansion of homework centers in the Fresno Unified School District - Councilmember Perea
- H.** Approve local preference for formal bids: purchase of materials, supplies and equipment (Councilmember Perea)
1. * **BILL - (*For introduction*)** - Amending the Fresno Municipal Code relating to local preference in advertised competitive bidding (*Alternate 1*)
 2. * **BILL - (*For introduction*)** - Amending the Fresno Municipal Code relating to local preference in advertised competitive bidding (*Alternate 2*)

6. CITY/COUNTY INTERGOVERNMENTAL RELATIONS

- 7. UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

June 1 - NO MEETING - HOLIDAY

June 8 - 10:30 A.M. HEARING relating to Negative Declaration and adoption of ordinance relating to No. TA 99-03

June 8 - 11:00 A.M. HEARING re: P.A. No. A-99-005, Rezone Appl. No. R-99-010, filed by Jeffrey Baird

June 8 - 6:00 P.M. JOINT MEETING with the Planning Commission

June 15 - Adopt FY 1999-2000 Budget

June 22 - 8:30 A.M. JOINT RDA HEARING re: Central City Commercial Revitalization Redevelopment Project Area

June 22 - 2:00 P.M. JOINT RDA HEARING re: South Fresno Industrial Revitalization Redevelopment Project Area

June 22 - 2:15 P.M. JOINT RDA HEARING re: Airport Area Revitalization Redevelopment Project Area

June 22 - 5:30 P.M. JOINT RDA HEARING re: Southeast Fresno Revitalization Redevelopment Project Area

June 29 - 11:00 A.M. HEARING re: Lighting and Landscape Maintenance District No. 1

July 6 - NO MEETING - COUNCIL VACATION

July 13 - NO MEETING - COUNCIL VACATION

July 20 - 10:00 A.M. HEARING re: approving assessments for costs incurred by the City for week discing, trash and debris removal for FY 98-99 and adopt resolution establishing assessments to recover City costs

Aug. 3 - NO MEETING - COUNCIL VACATION

Aug.10 - NO MEETING - COUNCIL VACATION

Aug. 17 - 10:00 A.M. Multipurpose Downtown Stadium:

- 1.** Discussion re: public models for construction of stadium
- 2.** Direct City Attorney to require FDG to make public all financial information - Acting President Mathys
- 3.** Direct City Attorney to prepare ballot measure for construction of stadium - Acting President Mathys

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***